

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

**NOTICE TO TAKE 30(B)(6) DEPOSITION OF CORPORATE
REPRESENTATIVE OF RSUI INDEMNITY COMPANY**

TO: Courtney E. Murphy
Clausen Miller P.C.
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New York, NY 10005

George E. Wolf
Douglas S. Beck
Kelly G. Bieri
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2555 Grand Boulevard
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ATTORNEYS FOR DEFENDANT
RSUI INDEMNITY COMPANY

PLEASE TAKE NOTICE that counsel for plaintiff, Maxus Realty Trust, Inc., will take the deposition of a corporate representative of defendant, RSUI Indemnity Company, pursuant to Fed. R. Civ. P. 30(b)(6), commencing at 9:30 a.m. on Monday, August 6, 2007, at the corporate headquarters of RSUI Indemnity Company, 945 East Paces Ferry Road, Suite 1800, Atlanta, Georgia 30326-1125, and will continue thereafter from day to day until complete. Said representative is to testify regarding the items listed on Exhibit A attached hereto.

Respectfully submitted,

/s/ Michael J. Abrams

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MAXUS REALTY TRUST, INC.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

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Date: July 20, 2007

/s/ Michael J. Abrams

Attorneys for Plaintiff

EXHIBIT A
SUBJECTS OF TESTIMONY

1. RSUI's understanding of the RSUI policies issued to Maxus relating to Waverly.
2. RSUI's understanding of the insurance policies issued to Maxus from First Specialty relating to Waverly.
3. RSUI's Answers to Plaintiff's Interrogatories.
4. Claim handling with respect to the Waverly Place loss.
5. The reasons for RSUI's denial of coverage.
6. Any representations made by Maxus to RSUI or to any other carrier relating to Waverly Place.
7. The factual basis regarding the affirmative defenses made by RSUI.
8. RSUI's underwriting of policy NHD340601.